GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Elections – Bye-Elections to 139-Nandyal Assembly Constituency of Kurnool district - Polling on 23rd August, 2017 (Wednesday) and Counting of votes on 28th August, 2017 (Monday) – Declaration of Local Holiday – Authorization to the Collector & District Magistrate, Kurnool - Orders – Issued.

GENERAL ADMINISTRATION (ELECTIONS-B) DEPARTMENT

G.O.RT.No. 1780 **Dated: 10-08-2017**

Read:

1. From the Secretary, Election Commission of India, New Delhi, Press Note No.ECI/PN/64/2016, dated 27.07.2017.
2. From the Principal Secretary, Election Commission of India, New Delhi Notification No.100/ECI/TERR/SOU3-AP/2017, dated 29.07.2017.

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O R D E R:

According to the schedule announced by the Election Commission of India, vide reference first read above, polling for the Bye-Election to 139-Nandyal Assembly Constituency of Kurnool district will be held on 23rd August, 2017 (Wednesday) and Counting of votes on 28th August, 2017 (Monday).

2. Hence, the State Government hereby authorize the Collector & District Magistrate, Kurnool district to declare a local holiday in the area of the aforesaid Assembly Constituency on the day of poll i.e., 23rd August, 2017 (Wednesday), if there is no holiday. He is also authorized to declare a local holiday, if necessary, on the day before the day of Poll i.e 22nd August, 2017 (Tuesday) for the Institutions where Polling Stations / Distribution centres are established in connection with conduct of bye-election to 139-Nandyal Assembly Constituency and also, if necessary, on the day fixed for Counting i.e., on 28th August, 2017 (Monday) for the institution where Counting Centre is established. On local holidays, the Treasuries and Sub-Treasuries in the District shall, however, function as usual.

3. Government also direct that as per the instructions of the Election Commission of India,

(i) the Labour, Employment Training & Factories Department shall declare a paid holiday in the area of 139-Nandyal Assembly Constituency of Kurnool district on the day of poll i.e. 23rd August, 2017 (Wednesday), if there is no holiday under the A.P. Factories and Establishments Act, 1974 (A.P. Act No.32/1974) and A.P. Shops and Establishments Act, 1988 read with the provisions laid down in Section 135-B of the Representation of the People Act, 1951 so as to enable the workers to exercise their franchise. Regarding the Industrial Undertakings / Establishments, which are working on shift basis, it is clarified that a holiday may be declared only for the shift during which the poll is to be conducted (from 7.00 am to 6.00 pm);

(ii) the Commissioner of Labour, Government of Andhra Pradesh, Vijayawada shall declare a closed holiday in the area of 139-Nandyal Assembly Constituency on the day of poll i.e. 23rd August, 2017 (Wednesday), if there is no holiday under the A.P. Shops and Establishments Act, 1988 (Act 20/1988) read with provisions laid down in Section 135-B (4) of the Representation of the People Act, 1951, so as to enable the electors working in such shops, establishments to exercise their franchise;

(P.T.O)

(iii) All Municipal Corporations, Municipal Committees and other Local Bodies and every University established by Central, Provincial or State Act located in 139-Nandyal Assembly Constituency shall also observe local holiday to be declared by the Collector & District Magistrate, Kurnool district, as authorized by the Government, on the day of poll i.e., 23rd August, 2017 (Wednesday), in the area of 139-Nandyal Assembly Constituency.

4. As per the provisions of Section 135-B of the Representation of the People Act, 1951, the Commissioner of Labour, Government of Andhra Pradesh, Vijayawada shall ensure that (i) every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at election to the Legislative Assembly shall, on the day of poll, be granted a holiday; (ii) no deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with sub-section (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him on that day; (iii) If an employer contravenes the provisions of sub-section (i) or sub-section (ii), then such employer shall be punishable with fine, which may extend to five hundred rupees.

5. The Government also direct that, in the case of employees who are ordinarily resident in the area of 139-Nandyal Assembly Constituency, where poll is on 23rd August, 2017 (Wednesday), but having the place of work outside the Constituency area, those electors including casual workers working outside the Constituency concerned would be entitled to the benefit of a paid holiday extended under the Section 135B(1) of the Representation of the People Act, 1951, although his/her office does not happen to be closed on that particular day. The daily wage/casual workers are also entitled for a holiday and wages on poll day as provided in Section 135B of the Representation of the People Act, 1951.

6. It is clarified that as per the provisions of Section 135-B (iv) of the Representation of the People Act, 1951, this section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DINESH KUMAR
CHIEF SECRETARY TO GOVERNMENT

To
The Collector & District Magistrate, Kurnool district.
The Labour, Employment Training and Factories Department, AP Secretariat, Velagapudi, Guntur District.
The Higher Education Department, AP Secretariat, Velagapudi, Guntur District.
The School Education Department, AP Secretariat, Velagapudi, Guntur District.
The Panchayat Raj & Rural Development Department, AP Secretariat, Velagapudi, Guntur District.
The Municipal Administration & Urban Development Department, AP Secretariat, Velagapudi, Guntur District.
The Commissioner of Labour, Andhra Pradesh, D.No. 33-7-6,33-8-14, PARURI's PRIDE' Papaiah Street, X Roads Sitaramapuram, Vijayawada– 520002.Email:Col.labour@gmail.com

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Copy to:-

All Departments of Secretariat, Andhra Pradesh Government … with a request to communicate to all subordinate offices under their control.
The AP State Public Service Commission, M.J. Road, Hyderabad.
The Secretary, Legislature, Assembly Buildings, Velagapudi, Guntur district.
The Returning Officer of 139-Nandyal Assembly Constituency of Andhra Pradesh State **through**: The Collector & District Magistrate, Kurnool district**.**
The District Treasury Officer, Kurnool district.
The Commissioner, Information & Public Relations, Andhra Pradesh, State Guest House Premises, Gopalreddy Road, Suryaraopet, Vijayawada –520 002.
The Accountant General, Andhra Pradesh, Hyderabad.
The Registrar, High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, Hyderabad.
The Registrar, Andhra Pradesh Administrative Tribunal, Hyderabad.
The Senior Principal Secretary (RKS), Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi.
The Ministry of Home Affairs, Govt. of India, New Delhi.
The Reserve Bank of India, Hyderabad.
The General Administration (PE/Pol.A) Department, AP Secretariat, Velagapudi, Guntur District
The PS to Chief Secretary, Andhra Pradesh State.
The PS to Principal Secretary to Government (Poll.), GAD, AP Secretariat, Velagapudi, Guntur District.
All Officers and Sections in the o/o CEO.
SC/SF.

//Forwarded :: By Order//

SECTION OFFICER